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**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA
(HARRISBURG)**

<p>In Re:</p> <p style="text-align: center;">James Edward Hawk fka Jamie edward Hawk Debtors(s)</p> <p>-----</p> <p>U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust Movant</p> <p>v.</p> <p>James Edward Hawk fka Jamie edward Hawk</p> <p>April L. Hawk (Non-Filing Co-Debtor) Respondent(s)</p>	<p>Chapter 7</p> <p>Case Number: 19-04599-HWV</p>
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**Motion of U.S. Bank Trust National Association, not in its individual capacity but solely as
Owner Trustee for VRMTG Asset Trust For Relief from the Automatic Stay under 11 U.S.C.
§362(d) With Respect to Property: 345 PINE GROVE ROAD, HANOVER, PA 17331**

U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust, through its Counsel, Stern & Eisenberg PC, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust (hereafter referred to as “Movant”).
2. Debtor(s), James Edward Hawk (hereinafter, “Debtor(s)”), is, upon information and belief, an adult individual(s) whose last-known address is 465 Beck Road, Gettysburg, PA 17325.
3. On December 15, 2006, April L. Hawk and Jamie E. Hawk, executed and delivered a Note in the principal sum of \$280,000.00 to Wells Fargo Bank, N.A. A copy of the Note is attached as Exhibit “A” and is hereby incorporated by reference.

4. As security for the repayment of the Note, April L. Hawk and Jamie E. Hawk, executed and delivered a Mortgage to Wells Fargo Bank, N.A. The Mortgage was duly recorded in the Office of the Recorder of Deeds in and for Adams County on December 27, 2006 in Book 4690, Page 304 and/or Instrument 200600026921. A copy of the Mortgage is attached as Exhibit "B" and is hereby incorporated by reference.
5. The Mortgage encumbers Debtor's real property located at 345 Pine Grove Road, Hanover, PA 17331.
6. By assignment of mortgage, the loan was ultimately assigned to U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust. A true and correct copy of the assignment is attached as Exhibit "C" and is hereby incorporated by reference.
7. Debtor(s) filed the instant Chapter 7 Bankruptcy on October 28, 2019 and, as a result, any state court proceedings were stayed.
8. It is believed and therefore averred that Debtor(s) filed the instant bankruptcy as an additional delay in order to prevent Movant from proceeding with the state court proceedings or otherwise institute proceedings as allowed under the Mortgage.
9. Debtor's mortgage loan is in default and is currently due for the September 1, 2019 payment and each subsequent payment through the date of the motion. Debtor(s) has/have failed to make the following payments to Movant:

PAYMENTS IN DEFAULT

Monthly Payments in Default.....	09/01/2019 to 09/01/2019
Monthly payments (\$1,498.28 x 1)	\$1,498.28
Monthly Payments in Default.....	10/01/2019 to 11/01/2019
Monthly payments (\$1,521.13 x 2)	\$3,042.26
Total Amounts Due as of November 6, 2019:	\$4,540.54

Unpaid Principal Balance:	\$227,745.78
Differed Principal Balance:	\$11,739.01
Delinquent Interest:.....	\$2,775.31
Escrow Advance:.....	\$1,922.22
Corporate Advance Balance:.....	\$15.00
Recording Fee:.....	\$68.75
Total Due as of November 6, 2019:	\$244,266.07

10. In addition, Movant has incurred counsel fees and costs in association with Debtor's default and this motion.
11. As a result of the Debtor's default and failure to make payments or to otherwise adequately provide for Movant in the bankruptcy filing, Movant is not adequately protected and is entitled to relief.
12. Further, the Debtor's Schedule D indicates a valuation of the property in the amount of \$220,000.00, with Movant's first lien against the Property in the amount of \$227,745.78. Accordingly, there is no equity in the Property and the Property is not necessary for an effective reorganization. A copy of the Debtor's Schedule D is attached as Exhibit "D" and incorporated herein by reference.
13. Movant requests that the stay of Bankruptcy Rule 4001(a)(3) be waived.

WHEREFORE, Movant, U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust, respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 from the automatic stay as set forth in the proposed order together with waiver of Bankruptcy Rule 4001(a)(3).

Respectfully Submitted:

Stern & Eisenberg, PC

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Date: December 17, 2019